

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT AND SUPPLEMENTAL
PRELIMINARY AMENDMENT

Appln. No. 09/756,874

Docket No. Q62541

REMARKS

Claims 1-15 are all of the pending claims prior to the Election of Species and Restriction Requirement dated January 13, 2003. Claim 1 was the only pending independent claim.

Restriction

The Examiner has restricted the prosecution of this application to one of two alleged inventions: Group I, claims 1-10 directed to a reflective liquid crystal panel with an optical film, and Group II, claims 11-15 directed to a method for producing the convex/concave structure.

Applicants hereby elect to prosecute Group I, with traverse. Applicants respectfully request that Examiner withdraw the restriction requirement at least because the apparatus and method of making the apparatus constitute a single inventive concept, and because the Examiner will not be burdened by the Examination of both Groups.

In addition, Applicants have added new independent claim 16, directed to Group I, and new claim 33 directed to a method of producing a liquid crystal display apparatus. It is clear from the recited features of these claims, that the apparatus and method of making the apparatus constitute a single inventive concept. For example, the apparatus as claimed in new claim 1 cannot be made by a process that is materially different from that of new claim 16. As such, restriction is inappropriate in this instance.

If the Examiner does not withdraw the restriction requirement, Applicants request that the Examiner rejoin at least some of the method claims in the event that an apparatus claim from which the method claims depend is ultimately found to be allowable. Those method claims would be allowable at least because of their dependency from an allowed claim. Therefore, no

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additional searching would be required and there would be no additional burden on the Examiner in reviewing and allowing the claims.

Election of Species

The Examiner also requires that the Applicant elects one of Species A through I. Applicants elect Species A without traverse. At least independent claim 1 is generic to all Species.

Claims 1-10 are directed to Species A, the embodiments shown in Figs. 1 and 2. For example, the features of claims 1-5 and 10 are found in the non-limiting embodiments shown in Figs. 1 and 2, as well as the discussion of the Figures. The features of claims 6, 8, and 9, although they are not explicitly shown in Figs. 1 and 2, are not mutually exclusive characteristics of a single one of the Species A through I. An elected Species features must be directed to mutually exclusive characteristics in order for an Examiner to maintain a proper Election of Species Requirement. *See* MPEP §806.04(f). Instead the features found in claims 6-9 can be part of several of the Species, including elected Species A.

New Claims 16-48

In addition, new Claims 16-48 have been added. Claims 16-32 are directed to Group I, and at least Species A. Although Claims 33-48 are directed to Group II, Applicants request that the Examiner examine all of the new claims since the apparatus and method of making the apparatus constitute a single inventive concept, as is discussed above.

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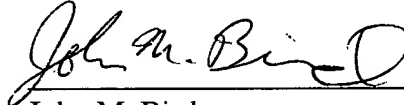
Docket No. Q62541

Conclusion

In view of the above, examination of the application on its merits is now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account..

Respectfully submitted,



John M. Bird

Registration No. 46,027

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: February 12, 2003



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE TITLE:

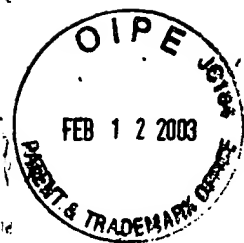
The title is changed as follows:

~~REFLECTIVE~~ LIQUID CRYSTAL DISPLAY APPARATUS AND PRODUCTION
METHOD THEREOF

IN THE CLAIMS:

Claims 16-48 are added as new claims.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62541

Hiroshi KANOU, et al.

Appln. No.: 09/756,874

Group Art Unit: 2871

Confirmation No.: 6216

Examiner: Huyen Le NGO

Filed: January 10, 2001

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For: REFLECTIVE LIQUID CRYSTAL DISPLAY APPARATUS AND PRODUCTION
METHOD THEREOF

EXCESS CLAIM FEE PAYMENT LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

A Preliminary Amendment is attached hereto for concurrent filing in the above-identified application. The resulting excess claim fee has been calculated as shown below:

	After Amendment		Highest No. Previously Paid For					
All Claims	93	-	60	=	33	X	\$18.00	= \$594.00
Independent	3	-	3	=		X	\$84.00	= \$.00
TOTAL								= \$594.00

A check for the statutory fee of \$594.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880.

EXCESS CLAIM FEE PAYMENT LETTER

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Please also credit any overpayments to said Deposit Account. A duplicate copy of this letter is enclosed.

Respectfully submitted,


John M. Bird
Registration No. 46,027

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WASHINGTON OFFICE



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